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Of Attorneys for Defendants

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

**ELIZABETH EVON NICHOLS,**

**Plaintiff,**

**v.**

**CITY OF PORTLAND, JEFFREY  
MCDANIEL AND DORIS PAISLEY,**

**Defendants.**

**Case No.** 3:12-cv-1889

**REMOVAL NOTICE**

**TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT  
OF OREGON:**

Removing parties, Defendants City of Portland, Jeffrey McDaniel and Doris Paisley, by  
their undersigned attorney, respectfully show this Court:

1. The removing parties, Defendants City of Portland, Jeffrey McDaniel and Doris Paisley, are the defendants in the above-entitled action.
2. On October 5, 2012, the above-entitled action was commenced against defendants in the Circuit Court of the State of Oregon for the County of Multnomah and is now pending in such court, with the court number 1210-12521.

3. On October 5, 2012, a copy of the Summons and Complaint in the above-entitled state action was served upon the Portland City Attorney at the Office of City Attorney, 1221 SW Fourth Avenue, Room 430, Portland, Oregon, 97204.

4. Each of the named defendants in this case agrees this action should be removed from state to federal court.

5. No further proceedings have been had in this action in state court.

6. This notice of removal is filed within 30 days after service of process.

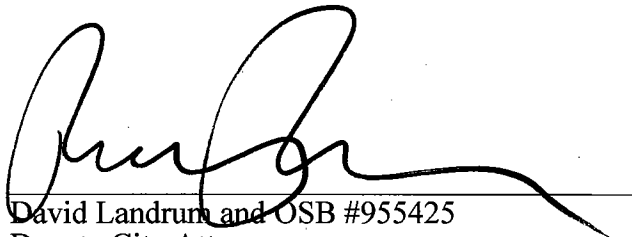
7. This Court has original jurisdiction of the above-entitled action pursuant to 28 U.S.C. §§ 1331 and 1343 because it is a suit for damages on account of an alleged violation of plaintiff's rights, privileges and immunities secured by the Constitution and laws of the United States. This action is removable under 28 U.S.C. § 1441(a) and (b).

8. Copies of the Summons and Complaint served on defendant City of Portland is attached to this Notice.

9. On the date set forth below, a copy of this notice was served on plaintiff's attorneys. On the same date, a copy of this notice was filed with the clerk of the Multnomah County Circuit Court in which the action was commenced.

WHEREFORE, the City of Portland requests that the above-entitled action be removed from the Circuit Court of the State of Oregon for the County of Multnomah to the United States District Court for the District of Oregon.

Dated: October 19, 2012.



David Landrum and OSB #955425  
Deputy City Attorney  
Robert Yamachika, OSB #065560  
Deputy City Attorney  
Telephone: (503) 823-4047  
Of Attorneys for Defendants

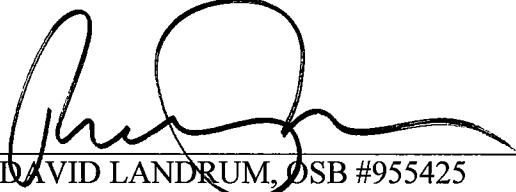
### CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing REMOVAL NOTICE on:

Benjamin Haile  
Kenneth Kreuscher  
Portland Law Collective  
1130 SW Morrison St., Ste. 407  
Portland, OR 97205  
*Of Attorneys for Plaintiff*

on October 19, 2012, by causing a full, true and correct copy thereof, addressed to the last-known address (or fax number) of said attorney, to be sent by the following method(s):

- ☒ by **mail** in a sealed envelope, with postage paid, and deposited with the U.S. Postal Service in Portland, Oregon.
- ☐ by **hand delivery**.
- ☐ by **facsimile transmission**.



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Of Attorneys for Defendants